

# EXHIBIT D



48 Monroe Turnpike  
Trumbull, CT 06611

February 5, 2014

State of New York  
Office of the Attorney General  
The Capitol  
Albany, NY 12224  
Attn: Jacquelyn Heffner

Re: State File Number: 1153430  
Complainant Name: **Redacted**  
Member ID: **Redacted**  
Member Name: **Redacted**  
Group Name: Voyetra Turtle Beach, Inc.  
Policy Number(s): VT3084  
Product Type: Freedom  
NAIC Number: 78026  
Funding: Fully Insured  
Situs: New York  
Legal Entity: Oxford Health Insurance, Inc.

Dear Ms. Heffner:

I am writing in response to the referenced complaint dated and received in our office on February 3, 2014. Thank you for bringing this issue to our attention.

Mr. **Redacted** filed a complaint regarding the denial of his request to utilize BDRN LLC to obtain his medication. Mr. **Redacted** cited multiple reasons why he preferred to continue using BDRN to supply his clotting factor.

My research determined that clotting factor is a specialty medication and per the member's Certificate of Coverage (COC), it must be filled at a Specialty Designated Pharmacy. BDRN is not a Specialty Designated Pharmacy and is not a network provider. Mr. **Redacted** does not have non-network benefits.

There are two participating Specialty Designated Pharmacy providers who can fill and deliver Mr. **Redacted** prescriptions for clotting factor and therefore Oxford denied Mr. **Redacted** request to continue utilizing BDRN to provide his clotting factor. Medication is usually delivered via United Parcel Service (UPS) or Federal Express and can be set up to have a signature required. However, Bioscrip would also be able to deliver the medication to the member by courier at his convenience. Mr. **Redacted** can contact Bioscrip at 866-788-7710 to set up an account and delivery schedule. Alternatively, if the member prefers he can pick up his medication at one of the three NY Consortium Hemophilia Treatment Centers (HTC). The HTCs located in the member's area are New York Presbyterian Hospital-Weill Cornell, University Medical Center HTC, and Mount Sinai Hemophilia Treatment Center.

With regard to the disposal of the medical waste, the member can contact one of the local consortiums for his options.

Mr. **Redacted** referenced the AMMO (Anti-Mandatory Mail Order) law and believes he may be protected under this law. The New York Anti-Mandatory Mail Order law allows members to fill

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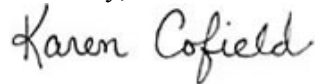
prescriptions for mail order and specialty prescription medications at a retail pharmacy only if the pharmacy agrees in advance to contractually meet Oxford's terms and conditions, including requirements for medication handling, delivery, clinical programs, and reimbursement.

To date, no New York retail pharmacies have contractually agreed to the same reimbursement amounts, terms, and conditions as we have with our mail order or specialty pharmacies. Given that no New York retail pharmacies are presently contracted with us for the same terms and conditions, there currently are no retail pharmacies that meet the coverage requirements under the new law.

I have enclosed copies of letters that we issued to Mr. Redacted and BDRN, the Outpatient Prescription Drug Rider, Oxford's policy for Clotting Factor and Coagulant Blood Products, the relevant portions of the Drug Coverage Guidelines policy, and the member's Certificate of Coverage (COC).

Your satisfaction is important to us. It is our goal to thoroughly review complaints and give you a prompt and complete response. If you have any questions about our actions, please call me at 800-889-7658, ext. 37433, Monday through Friday from 7:30 a.m. to 4:00 p.m. Eastern time.

Sincerely,



Karen Cofield  
Regulatory Consumer Advocate

Enclosures

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